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106TH CONGRESS }
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SENATE

{ REPORT
106-316

WEKIVA WILD AND SCENIC RIVER DESIGNATION ACT

JUNE 27, 2000.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2352]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2352) to designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wekiva Wild and Scenic River Designation Act”.

SEC. 2. FINDINGS.

Congress finds that—

(1) Public Law 104-311 authorized the study of the Wekiva River and the associated tributaries of Rock Springs Run and Seminole Creek (including Wekiwa Springs Run and the tributary of Black Water Creek that connects Seminole Creek to the Wekiva River) for potential inclusion in the National Wild and Scenic Rivers System;

(2) the study referred to in paragraph (1) determined that the Wekiva River and the associated tributaries of Wekiwa Springs Run, Rock Springs Run, Seminole Creek, and Black Water Creek downstream of Lake Norris to the confluence with the Wekiva River are eligible for inclusion in the National Wild and Scenic Rivers System based on the free-flowing condition and outstanding scenic, recreational, fishery, wildlife, historic, cultural, and water quality values of those waterways;

(3) the public support for designation of the Wekiva River as a component of the National Wild and Scenic Rivers System has been demonstrated through substantial attendance at public meetings, State and local agency support, and the support and endorsement of designation by the Wekiva River Basin Working Group that was established by the Department of Environmental Protection of the State of Florida and represents a broad cross section of State and local

agencies, landowners, environmentalists, nonprofit organizations, and recreational users;

(4) the State of Florida has demonstrated a commitment to protect the Wekiva River—

(A) by enacting Florida Statutes chapter 369, the Wekiva River Protection Act;

(B) by establishing a riparian habitat wildlife protection zone and water quality protection zone administered by the St. Johns River Water Management District;

(C) by designating the Wekiva River as outstanding Florida waters; and

(D) by acquiring State preserve, reserve, and park land adjacent to the Wekiva River and associated tributaries;

(5) Lake, Seminole, and Orange Counties, Florida, have demonstrated their commitment to protect the Wekiva River and associated tributaries in the comprehensive land use plans and land development regulations of those counties; and

(6) the segments of the Wekiva River, Rock Springs Run, and Black Water Creek described in section 3, totaling approximately 41.6 miles, are in public ownership, protected by conservation easements, or defined as waters of the State of Florida.

SEC. 3. DESIGNATION.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(162) WEKIVA RIVER, WEKIWA SPRINGS RUN, ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLORIDA.—

“(A) The 41.6 miles of river and tributary segments in Florida, as follows:

“(i) WEKIVA RIVER, FLORIDA.—The 14.9 miles of the Wekiva River, from its confluence with the St. Johns River to Wekiwa Springs, to be administered by the Secretary of the Interior in the following classifications:

“(I) From the confluence with the St. Johns River to the southern boundary of the Lower Wekiva River State Preserve, approximately 4.4 miles, as a wild river.

“(II) From the southern boundary of the Lower Wekiva River State Preserve to the northern boundary of Rock Springs Run State Reserve at the Wekiva River, approximately 3.4 miles, as a recreational river.

“(III) From the northern boundary of Rock Springs Run State Reserve at the Wekiva River to the southern boundary of Rock Springs Run State Reserve at the Wekiva River, approximately 5.9 miles, as a wild river.

“(IV) From the southern boundary of Rock Springs Run State Reserve at the Wekiva River upstream along Wekiwa Springs Run to Wekiva Springs, approximately 1.2 miles, as a recreational river.

“(ii) ROCK SPRINGS RUN, FLORIDA.—The 8.8 miles a Rock Springs Run, from its confluence with the Wekiwa Springs Run to its headwaters at Rock Springs, to be administered by the Secretary in the following classifications:

“(I) From the confluence with Wekiwa Springs run to the western boundary of Rock Springs Run State Reserve at Rock Springs Run approximately 6.9 miles, as a wild river.

“(II) From the western boundary of Rock Springs Run State Reserve at Rock Springs Run to Rock Springs, approximately 1.9 miles as a recreational river.

“(iii) BLACK WATER CREEK, FLORIDA.—The 17.9 miles of Black Water Creek from its confluence with the Wekiva River to the outflow from Lake Norris, to be administered by the Secretary in the following classifications:

“(I) From the confluence with the Wekiva River to approximately .25 mile downstream of the Seminole State Forest road crossing, approximately 4.0 miles, as a wild river.

“(II) From approximately .25 mile downstream of the Seminole State Forest road to approximately .25 mile upstream of the Seminole State Forest road crossing, approximately .5 mile, as a scenic river.

“(III) From approximately .25 mile upstream of the Seminole State Forest road crossing to approximately .25 mile downstream

of the old railroad grade crossing (approximately river mile 9), approximately 4.5 miles, as a wild river.

“(IV) From approximately .25 mile downstream of the old railroad grade crossing (approximately river mile 9) upstream to the boundary of Seminole State Forest (approximately river mile 10.6), approximately 1.6 miles, as a scenic river.

“(V) From the boundary of Seminole State Forest (approximately river mile 10.6) to approximately .25 mile downstream of the State Road 44 crossing, approximately .9 mile, as a wild river.

“(VI) From approximately .25 mile downstream of State Road 44 to approximately .25 mile upstream of the State Road 44A crossing, approximately .5 mile, as a recreational river.

“(VII) From approximately .25 mile upstream of the State Road 44 crossing to approximately .25 mile downstream of the Lake Norris Road crossing, approximately 4.8 miles, as a wild river.

“(VIII) From approximately .25 mile downstream of the Lake Norris Road crossing to the outflow from Lake Norris, approximately 1.1 miles, as a recreational river.”.

SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA RIVER AND TRIBUTARIES.

(a) DEFINITIONS.—As used in this Act:

(1) COMMITTEE.—The Term “Committee” means the Wekiva River System Advisory Management Committee established pursuant to section 5.

(2) COMPREHENSIVE MANAGEMENT PLAN.—The terms “comprehensive management plan” and “plan” mean the comprehensive management plan to be developed pursuant to section 3(d) of the Wild and Scenic rivers Act (16 U.S.C. 1274(d)).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(4) WEKIVA RIVER SYSTEM.—The term “Wekiva River system” means the segments of the Wekiva River, Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida designated as components of the National Wild and Scenic Rivers System by paragraph (161) of section 3(a) the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as added by this Act.

(b) COOPERATIVE AGREEMENTS.—

(1) USE AUTHORIZED.—In order to provide for the long-term protection, preservation, and enhancement of the Wekiva River system, the Secretary shall offer to enter into cooperative agreements pursuant to sections 10(c) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281 (c), 1282(b)(1)) with the State of Florida, appropriate local political jurisdictions of the State, namely the counties of Lake, Orange, and Seminole, and appropriate local planning and environmental organizations.

(2) EFFECT OF AGREEMENT.—Administration by the Secretary of the Wekiva River system through the use of cooperative agreements shall not constitute National Park Service administration of the Wekiva River system for purposes of section 10(c) of the Wild and Scenic Rivers Act (10 U.S.C. 1281(c)) and shall not cause the Wekiva River system to be considered as a unit of the National Park System. Publicly owned lands within the boundaries of the Wekiva River system shall continue to be managed by the agency having jurisdiction over the lands, in accordance with the statutory authority and mission of the agency.

(c) COMPLIANCE REVIEW.—After completion of the comprehensive management plan, the Secretary shall biennially review compliance with the plan and shall promptly report to the Committee on Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate any deviation from the plan that could result in any diminution of the values for which the Wekiva River system was designated as a component of the National Wild and Scenic Rivers System.

(d) TECHNICAL ASSISTANCE AND OTHER SUPPORT.—The Secretary may provide technical assistance, staff support, and funding to assist in the development and implementation of the comprehensive management plan.

(e) FUTURE DESIGNATION OF SEMINOLE CREEK.—If the Secretary finds that Seminole Creek in the State of Florida, from its headwaters at Seminole Springs to its confluence with Black Water Creek, is eligible for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), and the owner of the property through which Seminole Creek runs notifies the Secretary of the owner's support for designation, the Secretary may designate that tributary as an additional component of the National Wild and Scenic Rivers System. The Secretary shall publish notice of the designation in the Federal Register, and the designation shall become effective on the date of publication.

(f) LIMITATION ON FEDERAL SUPPORT.—Nothing in this section shall be construed to authorize funding for land acquisition, facility development, or operations.

SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT COMMITTEE.

(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee, to be known as the Wekiva River System Advisory Management Committee, to assist in the development of the comprehensive management plan for the Wekiva River system.

(b) MEMBERSHIP.—The Committee shall be composed of a representative of each of the following agencies and organizations:

- (1) The Department of the Interior, represented by the Director of the National Park Service or the Director's designee.
- (2) The East Central Florida Regional Planning Council.
- (3) The Florida Department of Environmental Protection, Division of Recreation and Parks.
- (4) The Florida Department of Environmental Protection, Wekiva River Aquatic Reserve.
- (5) The Florida Department of Agriculture and Consumer Services, Division of Forestry, Seminole State Forest.
- (6) The Florida Audubon Society.
- (7) The nonprofit organization known as the Friends of the Wekiva.
- (8) The Lake County Water Authority.
- (9) The Lake County Planning Department.
- (10) The Orange County Parks and Recreation Department, Kelly Park.
- (11) The Seminole County Planning Department.
- (12) The St. Johns River Water Management District.
- (13) The Florida Fish and Wildlife Conservation Commission.
- (14) The City of Altamonte Springs.
- (15) The City of Longwood.
- (16) The City of Apopka.
- (17) The Florida Farm Bureau Federation.
- (18) The Florida Forestry Association.

(c) ADDITIONAL MEMBERS.—Other interested parties may be added to the Committee by request to the Secretary and unanimous consent of the existing members.

(d) APPOINTMENTS.—Representatives and alternatives to the Committee shall be appointed as follows:

- (1) State agency representatives, by the head of the agency.
- (2) County representatives, by the Board of County Commissioners.
- (3) Water management district, by the Governing Board.
- (4) Department of the Interior representative, by the Southeast Regional Director, National Park Service.
- (5) East Central Florida Regional Planning Council, by Governing Board.
- (6) Other organizations, by the Southeast Regional Director, National Park Service.

(e) ROLE OF COMMITTEE.—The Committee shall assist in the development of the comprehensive management plan for the Wekiva River system and provide advice to the Secretary in carrying out the management responsibilities of the Secretary under this Act. The Committee shall have an advisory role only, it will not have regulatory or land acquisition authority.

(f) VOTING AND COMMITTEE PROCEDURES.—Each member agency, agency division, or organization referred to in subsection (b) shall have 1 vote and provide 1 member and 1 alternate. Committee decisions and actions will be made with consent of $\frac{3}{4}$ of all voting members. Additional necessary Committee procedures shall be developed as part of the comprehensive management plan.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

2. Amend the title so as to read:

A bill to amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the National Wild and Scenic Rivers System.

PURPOSE OF THE MEASURE

The purpose of S. 2352 is to designate portions of the Wekiva River and associated tributaries in the State of Florida as components of the National Wild and Scenic Rivers System.

BACKGROUND AND NEED

In 1996 Congress authorized the Secretary of the Interior to conduct a study of the Wekiva River, Seminole Creek, and Rock Springs Run for potential addition to the National Wild and Scenic Rivers System (Public Law 104-311). The Wekiva River and its tributaries are located in central Florida just north of the Orlando, and flow through Orange, Seminole, and Lake counties. At the request of the Lake County Water Authority, the study area was expanded to include Black Water Creek, which links Seminole Creek with the Wekiva River.

The section of the Wekiva River and its tributaries that were included in the study are in superb ecological condition. The majority of the waterways are currently under public ownership, either by the State of Florida, the St. Johns River Water Management District, or Orange County. Most of the private ownership lies within Seminole County. The Orlando metropolitan area has experienced rapid growth in the last two decades, and an estimated 1.3 million people now live within a 20-mile radius of the Wekiva River.

The National Park Service study, completed in June 1999, determined that all 45.5 miles of river segments included in the study were free-flowing and had “outstandingly remarkable resources” which make them eligible for inclusion in the National Wild and Scenic Rivers System. While all the river segments were found to be eligible for designation, not all were found to be suitable for designation. A total of 41.6 river miles were found to be both eligible and suitable for designation. The 3.9 miles of Seminole Creek, while eligible for designation, lies within a single tract owned by a family that does not want it to be designated.

Designation of the Wekiva River and its tributaries as part of the National Wild and Scenic River System would provide additional protection for valuable natural resources associated with the river basin as population growth and development pressures continue to increase. There is substantial public support for designation of the Wekiva River and its tributaries, and the Wekiva River Basin Working Group, representing a broad cross section of State and local agencies, landowners, environmentalists, nonprofit organizations, and recreational users, support the designation.

S. 2352 provides for designation of the entire 41.6 miles of Wekiva River and its tributaries included in the study as components of the National Wild and Scenic Rivers System. The bill provides for the Secretary of the Interior to be given administrative, planning, oversight, and technical assistance responsibilities, but for the State and local agencies to retain primary responsibility for management of the river segments.

LEGISLATIVE HISTORY

S. 2352 was introduced by Senator Graham on April 4, 2000. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2352 on April 27, 2000. At its business

meeting on June 7, 2000, the Committee on Energy and Natural Resources ordered S. 2352 favorably reported, as amended.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on June 7, 2000, by a unanimous vote of a quorum present, recommends that the Senate pass S. 2352, if amended as described herein.

COMMITTEE AMENDMENTS

During the consideration of S. 2352, the Committee adopted an amendment in the nature of a substitute. The amendment makes technical, clarifying, and conforming changes, including removing a provision which would have added the management language to the underlying Wild and Scenic Rivers Act. The amendment also deletes one segment of the proposed designation. The amendment is explained in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title as the "Wekiva Wild and Scenic River Designation Act".

Section 2 contains congressional findings concerning the character of the Wekiva River and its tributaries and the level of public support for designation of the river segments as components of the National Wild and Scenic Rivers System.

Section 3 amends section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) by adding a new paragraph (161) designating 41.6 miles of the Wekiva River and its tributaries as components of the National Wild and Scenic Rivers System.

Section 4(a) defines key terms used in the Act.

Subsection (b) directs the Secretary of the Interior (Secretary) to offer to enter into cooperative agreements with the State of Florida, the appropriate local political jurisdictions, and local planning and environmental organizations.

Paragraph (2) clarifies that the Secretary's administration of the Wekiva River system through cooperative agreements does not constitute National Park Service administration of the river for purposes of section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)). The Wekiva River system is not considered to be part of the National Park System, and publicly owned lands within the boundaries of the Wekiva River system will continue to be managed by the agency having jurisdiction over them.

Subsection (c) requires the Secretary to biennially review compliance with the comprehensive management plan (plan), developed pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)). The Secretary must report any deviations from the plan that could result in diminution of the values for which the Wekiva River system was designated as a component of the National Wild and Scenic Rivers System to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Subsection (d) authorizes the Secretary to provide technical assistance, staff support, and funding to assist in development and implementation of the comprehensive management plan.

Subsection (e) authorizes the Secretary to designate Seminole Creek in the State of Florida as an additional component of the National Wild and Scenic Rivers System if the owner of the property through which it runs supports such designation.

Subsection (f) clarifies that nothing in this section is to be construed to authorize funding for land acquisition, facility development, or operations.

Section 5 directs the Secretary of the Interior to establish the Wekiva River System Advisory Management Committee to assist in the development of the comprehensive management plan for the Wekiva River System, and prescribes the Committee's composition. The Committee has an advisory role only, and will not have regulatory or land acquisition authority.

Section 6 the appropriation of such sums as are necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 14, 2000.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2352, the Wekiva Wild and Scenic River Designation Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

ROBERT A. SUNSHINE
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2352—Wekiva Wild and Scenic River Designation Act

CBO estimates that implementing S. 2352 would have no significant impact on the federal budget. Because S. 2352 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 2352 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

S. 2352 would designate about 42 miles of river segments in Florida as wild, scenic, and recreational rivers to be administered by the Secretary of the Interior in cooperation with the state of Florida. The bill would direct the Secretary to establish an advisory council to help develop and implement a comprehensive management plan for those river segments. It would authorize the Secretary to provide financial and other assistance to the state of Florida and relevant local governments, landowners, and private organizations under cooperative agreements aimed at facilitating the

management of the newly designated river segments. Based on information from the National Park Service, CBO estimates that implementing this bill would cost about \$100,000 annually, assuming the availability of appropriated funds.

The CBO staff contact is Megan Carroll. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2352. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2352, as ordered reported.

EXECUTIVE COMMUNICATIONS

On April 27, 2000, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2352. These reports had not been received at the time the report on S. 2352 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF JOHN G. PARSONS, ASSOCIATE REGIONAL DIRECTOR FOR LANDS, RESOURCES, AND PLANNING, NATIONAL PARK SERVICE, NATIONAL CAPITAL REGION

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 2352, to designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System.

The Department supports S. 2352 with amendments.

In 1996, Congress authorized the Secretary of the Interior to conduct a study of the Wekiva River, Seminole Creek, and Rock Springs Run for potential addition to the National Wild and Scenic Rivers System (Public Law 104-311). Black Water Creek, which links Seminole Creek with the Wekiva River, was included in the study at the request of the Lake County Water Authority. For the most part, S. 2352 is consistent with the findings of the study.

The Wekiva River Basin is located in Orange, Seminole, and Lake Counties, Florida. The basin contains some of Florida's most valuable and unusual natural resources due to its location, where the temperate and tropical climatic zones meet. The region contains a delicate and complex ecosystem of rivers, springs, seepage areas, lakes, streams,

sinkholes, wetland prairies, hardwood hammocks, pine flatwoods, longleaf pine and wiregrass, xeric scrub oak and sand pine scrub communities, all of which are located adjacent to or in the wetland and floodplain of this water-dependent system. The basin supports plant and animal species that are endangered, threatened, or of special concern, including the American Alligator, the Bald Eagle, the Wood Stork, and the West Indian Manatee.

The section of the Wekiva River and its tributaries that were included in the study are in superb ecological condition. The majority of these waterways are currently in public ownership and managed by either the State of Florida, the St. Johns Water Management District, or Orange County. The Wekiva River has only one bridge crossing; Rock Springs Run has no bridge crossings; and Black Water Creek has three bridge crossings.

The Orlando metropolitan areas has experienced rapid growth in the last two decades, and an estimated 1.3 million people now live within a 20-mile radius of the Wekiva River. The designation of the Wekiva River and its tributaries as part of the National Wild and Scenic River System would help protect the valuable natural resources associated with the system as population growth and development pressures continue to increase.

S. 2352 would designate the Wekiva River and its tributaries of Rock Springs Run, Wekiwa Springs Run, and Black Water Creek as components of the National Wild and Scenic River System subject to the Wild and Scenic Rivers Act. The Secretary of the Interior would administer this river system, providing for its long-term protection, preservation, and enhancement through cooperative agreements with the State of Florida and other appropriate local political jurisdictions, interested landowners, and private organizations and individuals. The Wekiva River and its tributaries would not become a unit of the National Park System. The designated waterways that flow through publicly owned lands would continue to be managed by the agencies that have jurisdiction over the lands.

Seminole Creek would be designated as a wild and scenic river in the legislation. However, we recommend that designation be deferred at this time, which will make the legislation consistent with the National Park Service study recommendations. Although Seminole Creek was determined to be eligible for designation, it lies within a single privately owned tract whose owner does not want it to be designated.

The bill also establishes a coordinating council composed of representatives of Federal, State, and local government entities and public interest organizations to assist in the development of the comprehensive management plan for the river system. After the management plan is completed, the Secretary of the Interior would be required to review the plan biennially and report to the House Committee on Resources and the Senate Committee on Energy and Natural Resources any deviation from the plan that could re-

sult in a diminution of the values for which the Wekiva River system was designated as a component of the National Wild and Scenic Rivers System.

In addition, the bill authorizes the Secretary of the Interior to provide technical assistance and other support for the development and implementation of the comprehensive management plan.

S. 2352 follows a recent trend in legislation designating wild and scenic rivers, where the Secretary of the Interior, through the National Park Service, is given oversight, administrative, and planning responsibilities, but the State and local public land managing agencies serve as the primary on-the-ground managers. This partnership arrangement ensures front-end planning and long-term oversight of this outstanding resource by the Federal government. However, day-to-day operations are left to the current land managers. This type of arrangement is working well in other areas where Congress has provided for a similar division of responsibilities, as it has for the Concord, Assabet, and Sudbury Rivers (Public Law 106-20), the Lamprey River (Public Law 104-333), the Farmington River (Public Law 103-313), and others. We believe this arrangement will be appropriate and effective for the Wekiva River system as well.

While we strongly support the provisions of S. 2352, we recommend some amendments to the bill. One amendment would provide for the designation of Seminole Creek if the owner requests designation and the Secretary of the Interior determines that the creek still meets the eligibility criteria. That way, if circumstances change, Seminole Creek could be designated without new legislation. We understand that the State of Florida is currently negotiating with the owner for the purchase of Seminole Creek.

We are also recommending amendments that would provide for more explicit inclusion of Wekiwa Springs Run as one of the designated wild and scenic components of the Wekiva River system. Although the bill designates the half-mile-long Wekiwa Springs Run, this small tributary lacks the visibility of the other designated segments in S. 2352. Other amendments clarify the role of the coordinating council established by the bill, remove suggested council members that are not directly tied to the resource, remove language that contradicts the Wild and Scenic Rivers Act, and conform some of the bill's language to that used in other recent wild and scenic river legislation to insure only the actual river segments designated are made amendments to the Wild and Scenic Rivers Act while the particular management prescriptions are adopted as free-standing provisions of the designation legislation. Our recommended amendments are attached to this statement.

This concludes my remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.

AMENDMENTS TO S. 2352, WEKIVA WILD AND SCENIC RIVER
DESIGNATION ACT PROPOSED BY THE NATIONAL PARK
SERVICE

Page 1, line 10, strike “, including” and all that follows through “Wekiva River”

Page 2, line 8, strike “Seminole Creek”.

[From page 5 through the end of the bill, strike quotation marks at the beginning of each paragraph and at the end of the bill.]

Page 5, strike lines 5 through 7.

Page 5, line 8, strike “(161).”

Page 5, line 8, insert “WEKIWA SPRINGS RUN,” before “ROCK SPRINGS RUN,”

Page 5, line 23, strike “45.5 miles” and insert “41.6 miles”.

Page 6, line 8, insert “AND WEKIWA SPRINGS RUN,” after ““(A) WEKIVA RIVER”.”

Page 6, line 3, insert “, along Wekiwa Springs Run” after “River”.

Page 10, line 1, strike paragraph (iv) in its entirety.

Page 10, line 25, strike “Plan,” and insert “Comprehensive Management Plan for the Wekiva River System.”

Page 11, line 1, strike “(II)” and the remainder of the sentence, and insert and provide advice to the Secretary in carrying out his management responsibilities under this Act.”

Page 12, line 20, strike paragraph (XVI) and all for the following through the end of the paragraph (XXII), page 13, line 12.

Page 17, line 2, strike “Council” and insert “Committee”.

Page 17, line 3, strike “Council” and insert “Committee”.

Page 17, line 23, strike paragraph (F) in their entirety, through page 18, line 12.

Page 18, line 13, renumber (G) as (H) and insert the following new subsections:

“(F) LIMITATION ON FEDERAL SUPPORT.—Nothing in this section shall be construed to authorize funding for land acquisition, facility development, or operations.

“(G) FUTURE DESIGNATION.—If the Secretary finds that Seminole Creek, from its headwaters at Seminole Springs to its confluence with Black Water Creek, is eligible for designation under the National Wild and Scenic Rivers Act (16 U.S.C. 1274 (a)) and the owner of the property through which Seminole Creek Runs notifies the Secretary of support for designation, the Secretary may designate that tributary. Notice of the designation shall be published in the Federal Register and shall become effective on the date of publication.”.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S.

2352, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 3 OF THE WILD AND SCENIC RIVERS ACT

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wide and scenic rivers system:

(1) * * *

* * * * *

(162) *WEKIVA RIVER, WEKIWA SPRINGS RUN, ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLORIDA.—*

(A) *The 41.6 miles of river and tributary segments in Florida, as follows:*

(i) *WEKIVA RIVER, FLORIDA.—The 14.9 miles of the Wekiva River, from its confluence with the St. Johns River to Wekiwa Springs, to be administered by the Secretary of the Interior in the following classifications:*

(I) *From the confluence with the St. Johns River to the southern boundary of the Lower Wekiva River State Preserve, approximately 4.4 miles, as wild river.*

(II) *From the southern boundary of the Lower Wekiva River State Preserve to the northern boundary of Rock Springs Run State Reserve at the Wekiva River, approximately 3.4 miles, as a recreational river.*

(III) *From the northern boundary of Rock Springs Run State Reserve at the Wekiva River to the southern boundary of Rock Springs Run State Reserve at the Wekiva River, approximately 5.9 miles, as a wild river.*

(IV) *From the southern boundary of Rock Springs Run State Reserve at the Wekiva River upstream along Wekiwa Springs Run to Wekiwa Springs, approximately 1.2 miles, as a recreational river.*

(ii) *ROCK SPRINGS RUN, FLORIDA.—The 8.8 miles of Rock Springs Run, from its confluence with the Wekiwa Springs Run to its headwaters at Rock Springs, to be administered by the Secretary in the following classifications:*

(I) *From the confluence with Wekiwa Springs Run to the western boundary of Rock Spring Run State Reserve at Rock Springs Run, approximately 6.9 miles, as a wild river.*

(II) *From the western boundary of Rock Springs Run State Reserve at Rock Springs Run to Rock Springs, approximately 1.9 miles, as a recreational river.*

(iii) *BLACK WATER CREEK, FLORIDA.—The 17.9 miles of Black Water Creek from its confluence with the Wekiva River to the outflow from Lake Norris, to be*

administered by the Secretary in the following classifications:

(I) From the confluence with the Wekiva River to approximately .25 mile downstream of the Seminole State Forest road crossing, approximately 4.0 miles, as a wild river.

(II) From approximately .25 mile downstream of the Seminole State Forest road to approximately .25 mile upstream of the Seminole State Forest road crossing, approximately .5 mile, as a scenic river.

(III) From approximately .25 mile upstream of the Seminole State Forest road crossing to approximately .25 mile downstream of the old railroad grade crossing (approximately river mile 9), approximately 4.5 miles, as a wild river.

(IV) From approximately .25 mile downstream of the old railroad grade crossing (approximately river mile 9) upstream to the boundary of Seminole State Forest (approximately river mile 10.6), approximately 1.6 miles, as a scenic river.

(V) From the boundary of Seminole State Forest (approximately river mile 10.6) to approximately .25 mile downstream of the State Road 44 crossing, approximately .9 mile, as a wild river.

(VI) From approximately .25 mile downstream of State Road 44 to approximately .25 mile upstream of the State Road 44A crossing, approximately .5 mile, as a recreational river.

(VII) From approximately .25 mile upstream of the State Road 44A crossing to approximately .25 mile downstream of the Lake Norris Road crossing, approximately 4.8 miles, as a wild river.

(VIII) From approximately .25 mile downstream of the Lake Norris Road crossing to the outflow from Lake Norris, approximately 1.1 miles, as a recreational river.

